

Notice of Allowability

Application No.

09/691,649

Examiner

Bradley Edelman

Applicant(s)

CHISHOLM ET AL.

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's response filed on September 3, 2004, and the interview of December 1, 2004.
2. ☒ The allowed claim(s) is/are 1, 3-16, 18-20, now renumbered 1-18.
3. ☒ The drawings filed on 17 October 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12/2/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Herndon on December 1, 2004.

The application has been amended as follows:

IN THE CLAIMS:

In claim 1, on line 3, after the words "plurality of events," insert the phrase -- wherein certain of the events are related,--.

In claim 1, on line 6, delete the phrase "considering the location of the network device causing each" and replace it with the phrase --for each related--.

In claim 1, on line 7, after the word "events", delete the phrase "by, for each event". Also on line 7, after the word "between", delete the word "the" and replace it with the words --a network--.

In claim 7, on lines 1-2, delete the phrase "wherein prior to the step of considering, the method comprises the step of:", and replace it with the words --further comprising--.

In claim 19, on line 4, after the words "plurality of events," insert the phrase --wherein certain of the events are related, and--.

In claim 19, on lines 6-7, delete the phrase "considering the location of the network device causing each event in the plurality of events, by, for each event,".

In claim 19, on line 7, after the word "determining", insert the phrase --for each related event--.

In claim 19, on line 8, after the word "between", delete the word "the" and replace it with the words --a network--.

In claim 20, on line 6, after the words "plurality of", insert the word --related--.

In claim 20, on line 7, after the words "plurality of", insert the word --related--.

In claim 20, on lines 8-9, delete the phrase "considering the location of the network device causing each event in the plurality of events, by,".

In claim 20, on line 9, after the words "for each", insert the word --related--. Also on line 9, after the word "between", delete the word "the" and replace it with the words --a network--.

Allowable Subject Matter

2. Claims 1, 3-16, and 18-20, as herein amended, are allowed.

The following is an examiner's statement of reasons for allowance:

As argued by Applicant in Applicant's remarks filed on September 3, 2004, the prior art of record fails to disclose the claimed method, computer readable medium, and

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apparatus, as enabled by the specification, for identifying a causal event among events occurring on the network, wherein a network management station or a computer program first determines the number of devices and/or links between the management station and each of the devices causing each event, and then determines that the causal event is the event for which the determined number of devices and/or links is the fewest.

Note that the prior art references teach that various methods for determining causal events among numerous collected events on a network are well known (i.e. Ahmed – U.S. patent No. 6,813,634, cols. 2-3; Walker et al. – U.S. Patent No. 6,061,723, cols. 6-7; Harris – U.S. Patent No. 5,771,274, cols. 5-8; and various cited non-patent literature documents). However, none of the cited prior art references describe a method for determining the causal event in the claimed management system, by determining a number of devices and/or links between the devices causing the events and the management station.

Note, the phrase “and/or” has been interpreted according to the description in the specification on page 13, lines 17-19, which clearly states, “it will be appreciated that the number of devices, or the number of devices and links, in the shortest path may be determined instead of the number of links as in the preferred embodiment.”

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is 571-272-3953. The examiner can normally be reached from 9 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached at 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bradley Edelman

BE
December 2, 2004